Approved Code No. 467—Amendment No. 1 Registry No. 1615—13

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

CIGAR MANUFACTURING INDUSTRY

AS APPROVED ON SEPTEMBER 21, 1934

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Approved Code No. 467—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

CIGAR MANUFACTURING INDUSTRY

As Approved on September 21, 1934

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE CIGAR MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to the Code of Fair Competition for the Cigar Manufacturing Industry, and opportunity to be heard thereon having been afforded all members of said industry and any objections filed having been duly considered, and the annexed report on said amendment containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order Number 6543–A, dated December 30, 1933, and otherwise; do hereby incorporate by reference, said annexed report and do find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

ARMIN W. RILEY,
Division Administrator.

WASHINGTON, D.C.,
September 21, 1934.

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REPORT TO THE PRESIDENT

The President,
The White House.

Sir: The Code Authority of the Cigar Manufacturing Industry has requested that the Code of Fair Competition for said industry be modified by adding thereto Article XIII. This article will permit the Code Authority to sell stamps to the members of the industry, such stamps to be attached to the container of the cigars.

The stamp will bear the N.R.A. insignia, and a symbol indicating the intended retail price of the product. Members of the industry may apply to the Code Authority for permission to use these stamps, and such permission will be granted so long as they comply with the Code.

The charge made for the labels by the Code Authority shall at all times be subject to the supervision and orders of the Administrator and shall not be more than an amount necessary to cover the actual reasonable cost thereof, including actual printing, distribution, administration, and supervision of the use thereof.

It is expected that the use of this label will greatly aid in obtaining compliance with the Code. In addition, the use of the stamp will itself symbolize the conditions under which the cigars are manufactured and will protect purchasers relying on said stamps.

The Deputy Administrator in his final report to me on said amendment of said Code having found as herein set forth and on the basis of all proceedings in this matter:

I find that

(a) The Amendment of said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority of the Cigar Manufacturing Industry to present the aforesaid modification on behalf of the industry as a whole.

(d) The amendment and the Code as modified are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons the amendment has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

SEPTEMBER 21, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE CIGAR MANUFACTURING INDUSTRY

Article XIII—Labels

All cigars manufactured or distributed subject to the provisions of this Code shall have an N.R.A. label in the form of a stamp affixed to the outside of the container thereof to symbolize to purchasers of said cigars the conditions under which they were manufactured. Under the powers vested in him by Executive Order of October 14, 1933, and under grant of the necessary authority by the Administrator, the Code Authority shall have the exclusive right in this Industry to issue and furnish said labels to the members thereof. Any and all employers may apply to the Code Authority for a permit to use such N.R.A. label, which permit to use the label shall be granted to them, but only if and so long as they comply with this Code. The Code Authority, subject to approval by the Administrator, shall establish rules and regulations and appropriate machinery for the issuance of labels and the inspection, examination and supervision of the practices of employers using such labels in observing the provisions of this Code for the purpose of ascertaining the right of said employer to the continued use of said labels; or protecting purchasers in relying on said labels, of insuring to each individual employer that the symbolism of said label will be maintained by virtue of compliance with the practices herein contained by all other employers using said label.

The charge made for such labels by the Code Authority shall at all times be subject to supervision and orders of the Administrator and shall be not more than an amount necessary to cover the actual reasonable cost thereof, including actual printing, distribution, and administration and supervision of the use thereof as hereinabove set forth.

Approved Code No. 467—Amendment No. 1.
Registry No. 1615–13.

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